

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF NEW MEXICO
3 UNITED STATES OF AMERICA,
4 Plaintiff,
5 vs. NO: CR-15-4268 JB
6 ANGEL DELEON, et al.,
7 Defendants.

8
9 Transcript of Excerpted Testimony of
10 GUADALUPE URQUIZO

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EXHIBIT

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1 date. But I know it was in 2012.

2 Q. Right. Well, you told the FBI and the
3 prosecutors it could have been 2013.

4 A. Late 2012 or early 2013. That's what I
5 said.

6 Q. And my question to you was: Does that
7 mean the winter of 2012?

8 A. I think it's a little bit before that,
9 because I told them that, but I'm not too sure
10 exactly. It happened in 2012. For a fact, it
11 happened in 2012.

12 Q. Okay. So when you told them it could have
13 happened in 2013, you were wrong?

14 A. Yeah. I was trying to figure it out. I
15 mean, there were so many questions coming my way, so
16 I was trying to figure it out.

17 Q. Okay. And according to you, where did
18 that conversation take place?

19 A. Housing unit 3-B at the North facility.

20 Q. And what pod were you in?

21 A. I was in W pod, and Anthony Baca was in X
22 pod.

23 Q. How long had you been housed in W pod?

24 A. I wasn't there that long. I had just got
25 there from housing unit 3-A.

1 Q. So what does that mean, you weren't there
2 that long?

3 A. Maybe a few weeks. I'm not too sure.

4 Q. And how would you have communicated with
5 somebody in the pod next door?

6 A. That's easy. We went outside. We talked
7 in the rec.

8 Q. Now, at that point you had discussed with
9 them about you traveling from PNM South in Santa Fe
10 down to Southern here in Las Cruces?

11 A. Will you ask me the question again?

12 Q. Sure. When you spoke to them on March 6,
13 2017, you talked to them about your transfer from
14 PNM South, in Santa Fe, to Southern in Las Cruces.

15 A. Actually, they transferred me to PNM
16 North. And when I came to Las Cruces, I asked them
17 if they could transfer me to Southern.

18 Q. So are you saying you didn't know you were
19 coming down to Southern?

20 A. I don't understand what -- to talk to
21 them? Yes, I knew I was coming down to talk to
22 them. But I requested to go to Southern.

23 Q. My question to you, Mr. Urquizo, is: When
24 you spoke to these folks on March 6, 2017, right,
25 you talked to them about your transfer in early 2014

1 he wanted to. He just wanted to see if I was really
2 doing it. Once he seen I was, he said, "Okay."

3 Q. Did you tell him that you told the truth
4 about the Javier Molina case?

5 A. Yes, sir, I did.

6 Q. Did you also tell him that you wanted him
7 to cooperate so you wouldn't have to testify against
8 him?

9 A. Yes, sir. He's my best friend.

10 Q. When you were housed with the other, as
11 I'm going to call them, cooperating witnesses for
12 the Government, did they have tablets with discovery
13 on them?

14 A. No.

15 Q. Have you ever seen discovery on a tablet?

16 A. No, sir.

17 Q. When you were talking with Ms. Bhalla, Mr.
18 Herrera's attorney, I think she asked you about your
19 plea agreement with the Government. Do you remember
20 that?

21 A. Yes, sir.

22 Q. And she asked you if you remembered that
23 you were charged with 39 overt acts. Do you
24 remember that?

25 A. Yes, sir.

1 Q. Do you remember when she said that you
2 only pled to one count?

3 A. Yes, sir.

4 MR. BECK: Your Honor, may we approach?

5 THE COURT: You may.

6 (The following proceedings were held at
7 the bench.)

8 MR. BECK: Your Honor, I intend to offer
9 into evidence Government's Exhibit 742-B, which is
10 Mr. Urquizo's plea agreement. And the only thing
11 redacted in this plea agreement is Ms. Cam Munoz'
12 preamble to her signature at the end. The factual
13 basis from his plea agreement is not redacted
14 because it will show that he indeed pled guilty to
15 everything that was contained in the 39 overt acts.

16 THE COURT: Any objection?

17 MR. LOWRY: Yes, I thought we had an
18 agreement on the plea agreements that we were going
19 to redact factual basis. I mean, Defendant Baca
20 didn't go there and pull it out.

21 THE COURT: Well, it does seem to me that
22 it's being offered for the truth. Then it would
23 be -- are you trying to clear up the line of
24 questioning whether there were overt acts and
25 whether there was only one count that he pled to?

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